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OFFICE OF PETITIONS

In re Application of
Widera et al.

Application No. 10/507,179

Filed: February 25, 2005

For: METHOD FOR THE TRANSMISSION OF MEASURED DATA FROM A MEASURING
COMPUTER TO A CONTROL COMPUTER IN A MEASURING SYSTEM

Attorney Docket No: 520.1045

Pub. No.: US 2006/0059254 A1

Pub. Date: March 16, 2006

This is a decision on the request for corrected patent applications publication under 37 CFR 1.221 (b), filed on April 13, 2006 for the above-identified application.

The request is DISMISSED.

The instant request is that the application be republished because the patent application publication fails to list Cornelius Heidemann as an inventor on the front page of the publication.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.¹

The instant request does not identify a material mistake in the publication made by the Office. The error in omitting the inventor's name on the front page of the publication is an Office error, but it is not a material error under 37 CFR 1.221(b). The error in the inventorship does not affect the public's ability to appreciate the technical disclosure of the patent application publication, or determine the scope of the patent application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.

The applicant is advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221 (a). Such a request for republication "must include a copy of the application compliance with the Office's electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18 (d) and the processing fee set forth in §

¹ Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

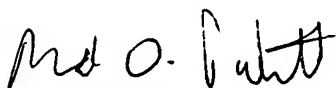
1.17 (i).” If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18 (d) will be refunded. The processing fee will be retained.

Any request for republication under 37 CFR 1.221(a), must be submitted via the EFS system and questions or request for reconsideration of the decision, should be addressed as follows:

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Inquiries relating to this matter may be directed to Mark Polutta at (571) 272-7709 (voice).



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